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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jung-wan Ko

Serial No. 10/020,980

Group Art Unit: 2653

Confirmation No. 1189

Filed: December 19, 2001

Examiner: A. Psitos

For: RECORDING MEDIUM FOR STORING WRITING PROTECTION INFORMATION AND
WRITE PROTECTION METHOD THEREOF

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APPELLANT'S BRIEF UNDER 37 C.F.R. §§ 1.191 AND 1.192

Assistant Commissioner for Patents
Washington, D.C. 20231

Pursuant to the Appellant's earlier filed Notice of Appeal on March 4, 2003, Appellant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection mailed September 4, 2002 (paper no. 7).

Appellant submits this Appeal Brief in triplicate as required by 37 C.F.R. §1.192(1) along with the filing fee of \$320.00 set forth in 37 C.F.R. §1.117(f).

I. Real Party in Interest

Pursuant to 37 C.F.R. §1.192(c)(1), due to the assignment executed on July 29, 1999 by the inventors and recorded in the United States Patent and Trademark Office at Reel 010475, Frame 0339, the real party in interest is as follows:

Samsung Electronics Co., Ltd.
416, Maetan-dong, Paldal-gu,
Suwon-city, Kyungki-do
Republic of Korea

05/06/2003 JADD01 00000030 10020980

01 FC:1402

320.00 OP

II. Related Appeals and Interferences

Pursuant to 37 C.F.R. §1.192(c)(2), although the real party in interest has other appeals and interferences, none of the other pending appeals and interferences is believed to directly affect or be directly affected by, or have any bearing upon the decision of the Board of Patent Appeals and Interferences in this appeal.

III. STATUS OF CLAIMS

Pursuant to 37 C.F.R. §1.192(c)(3), claims 1-8 are pending in this application at the filing of this Appeal Brief. Claims 1-8 stand finally rejected. Claim 1 is the only independent claim.

Claims 1-8 were originally filed in the application. In the Amendment filed June 19, 2002, claims 1, 2, 4, 5 and 7 were amended. Subsequently, in the Amendment under 37 C.F.R. §1.116 filed December 4, 2002, Appellant attempted to amend claim 4 for §112 purposes, but the amendment was not entered, as indicated in the Advisory Action mailed December 17, 2002. In the Advisory Action, the Examiner maintained a majority of the rejections but withdrew rejections based on Nozaki et al., U.S. Patent no. 6,396,998 (paragraphs 12 and 13 in the September 4, 2002, Office Action).

Therefore, in view of the final Office Action mailed September 4, 2002, claims 1-8 stand finally rejected. This Appeal Brief is an appeal of the finally rejected claims 1-8.

IV. STATUS OF AMENDMENTS

Pursuant to 37 C.F.R. §1.192(c)(4), and 37 C.F.R. §1.192(c)(9), a copy of the pending claims involved in the appeal is included in their present condition, reflecting the aforementioned amendments to the claims, in the Appendix.

V. SUMMARY OF INVENTION

Pursuant to 37 C.F.R. §1.192(c)(5), the present invention is directed toward a recordable and/or rewriteable recording medium with write protection capabilities. The recording medium includes a lead-in area, a lead-out area, and a user data area. Further, the recording medium stores write protection information in an RMD (Recording Management Data) field of an RMA (Recording Management Area) area to protect the data recorded on the recording medium from unwanted overwriting or erasing. Effectively, the presently claimed invention provides for write protection in a particularly claimed area of the recordable and/or rewriteable recording medium. The application also provides additional areas where write protection information can be stored, as well as apparatuses and methods for performing such write protection.

The present application defines the claimed RMA as "including general information relating to recording, i.e., information about the recording mode of a disc, recording state, optimal power control and border zone." See the present specification on page 14, paragraph [0063]. In addition, "FIG. 13 [of the present application] shows the content of an RMD (Recording Management Data) field of the RMA according to the DVD-R and DVD-RW specifications. The RMA comprises an RMA Lead-in area including a system reserved field (contents:00h) and a unique ID field, and **RMD** fields." See the present specification on page 14, paragraph [0066].

Thus, the present specification sets forth specific definitions of the claimed RMD field, as pertaining to DVD-R and/or DVD-RW specifications, and specifically defines the structure of the claimed RMD as being a particular field in the RMA.

VI. ISSUES

Pursuant to 37 C.F.R. §1.192(c)(6), the following are the primary issues in the present Appeal:

- a) whether claim 4 is properly rejected under 35 USC §112, second paragraph;
- b) whether claims 1, 2 and 8 are patentable under 35 USC §103(a) over Ko et al., EP-1052639, in view of Ro et al., U.S. 6,288,989;
- c) whether claims 1, 2 and 8 are patentable under 35 USC §103(a) over Kuroda et al., U.S. Patent No. 5,946,277, in view of Ro et al.;
- d) whether claims 2, 3, 5, 6 and 8 are patentable under 35 USC §103(a) over the combinations presented in the above (b) and (c) issues for independent claim 1, in further view of the prior art set forth in the present application (Prior Art) and Mcferrin et al., U.S. Patent No. 5,142,515;
- e) whether claims 2, 3, 5, 6 and 8 are patentable under 35 USC §103(a) over the combinations presented in the above (b) and (c) issues for independent claim 1, in further view of the prior art set forth in the present application (Prior Art) and Curtis et al., U.S. Patent No. 5,233,576;
- f) whether claim 7 is patentable under 35 USC under 35 USC §103(a) over the combinations presented in the above (b) and (c) issues for independent claim 1, in further view of Mcferrin et al.;
- g) whether claim 7 is patentable under 35 USC under 35 USC §103(a) over the combinations presented in the above (b) and (c) issues for independent claim 1, in further view of Heo, U.S. Patent No. 6,392,969;
- h) whether claim 7 is patentable under 35 USC under 35 USC §103(a) over the combinations presented in the above (b) and (c) issues for independent claim 1, in further view of Maeda et al., 6,072,759.

VII. GROUPING OF CLAIMS

Pursuant to 37 C.F.R. §1.192(c)(7), the claims stand and fall separately.

VIII. ARGUMENT

Pursuant to 37 C.F.R. §1.192(c)(7), Appellant's arguments follow herein:

A. Claim 4 is definite under 35 USC §112

Independent claim 1 is specifically directed toward a recordable and/or rewritable recording medium. In addition, in the rejection of claim 4 under 35 USC §112, it would appear that the Examiner has similarly interpreted claim 4 as being directed to a recordable and/or rewriteable recording medium, but disagrees with the attempt "to redefine the product in method language [and is also] not understood since a method limitation cannot further define a product." See page 4 of the outstanding Office Action.

Conversely, the MPEP has a whole section directed toward pointing out that product by process claims are permissible. See MPEP 2173.05(p). This section of the MPEP states "[a] product-by-process claim, which is a product claim that defines the claimed product in terms of the process by which it is made, is proper....A claim to a device, apparatus, manufacture, or composition of matter may contain a reference to the process in which it is intended to be used without being objectionable under 35 USC §112, second paragraph, so long as it is clear that the claim is directed to the product and not the process."

Claim 4 sets forth "[t]he recording medium of claim 3, wherein when the writing protection information read from one of the plurality of physically separate locations matches the writing protection information read from another one of the physically separate locations, the recording medium is indicated as being set to a write protection state."

Thus, claim 4 has been particularly defined as a recording medium capable of being set to a write protection state. This capability is evident "when the writing protection information read from one of the plurality of physically separate locations matches the writing protection information read from another one of the physically separate locations."

Regardless that claim 4 includes a method or intended use statement, these terms are used to further define how the recording medium product of claim 1 can be a write protected recording medium. Thus, the method or intended use language is proper and is not indefinite. Similarly, the Office Action would appear to indicate that claim 4 may fail to meet paragraph 4 of 35 USC §112. However, for at least the above, it is clear that claim 4 refines the scope of independent claim 1, even though this is accomplished by method or intended use language.

The rejection of claim 4 under 35 USC §112, second and fourth paragraphs, is improper.

B. Claims 1, 2 and 8 are patentable over Ko et al. in view of Ro et al.

As pointed out in the Amendment under 37 CFR §1.116 filed December 4, 2002, the present application claims both foreign and domestic priority from as early as June 15, 1998, and June 15, 1999, respectively. Whereas Ko et al. has a publication date of November 15, 2000. Therefore, Ko et al. is not a proper §102 reference and cannot be used to reject the present invention under §103.

In the Advisory Action mailed December 17, 2002, the Examiner failed to indicated that the outstanding rejections based on Ko et al. were overcome. Therefore, it is presumed that these rejection are still outstanding. Regardless, since Ko et al. is not a proper §102 reference, the rejections based on the same are improper. ✓

C. Claims 1, 2 and 8 are patentable over Kuroda et al. in view of Ro et al.

By way of review and as an example, independent claim 1 sets forth:

"A recordable and/or rewritable recording medium to record data comprising:

a Lead-in area;
a Lead-out area; and
a user data area;

wherein the recording medium stores write protection information in an RMD (Recording Management Data) field of an RMA (Recording management Area) area to protect the data recorded on the recording medium from unwanted overwriting or erasing."

The outstanding Office Action sets forth that Kuroda et al. discloses all the claimed features except for the "desired ability of having write protection information stored accordingly," and then utilizes Ro et al. to disclose "the ability of having write protection in this environment. It appears from the description that the write protection information is in the lead in area of the disc

The Advisory Action mailed December 17, 2002, further sets forth that "Applicants' arguments with respect to the primary reference to Kuroda et al. are not convincing because as indicated in col. 3, lines 10-20 not only is there RMD data, but also RMD area. The Examiner interprets these phrases as being the subject matter claimed in the present application. Applicants' have not presented any evidence to the contrary." In addition, regarding the Appellant's rebuttal to the Examiner's obviousness rationale, the Examiner states that "[n]othing applicant has presented convinces the examiner that some unexpected result(s) occur(s) from such a selection."

First it is noted that, contrary to the opinion of the Examiner, the Examiner initially bears the burden of establishing a prima facie case of obviousness based upon the prior art..."[the Examiner] can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." In re Fritch, 23 USPQ 2d 1780, 1783 (Fed. Cir. 1992). In addition, the mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. Id. at 1783-84.

Various other factors may be considered in determining whether the prior art shows or suggests the claimed invention. These other factors include, for instance, that the invention provided over the prior art: unexpected results, a solution to a different problem or novel properties. As stated by the Federal Circuit, "[w]hen such factors are described in the specification they are weighed in determining, in the first instance, whether the prior art presents the prima facie case of obviousness." In re Wright, 6 USPQ 2d 1959, 1962 (Fed. Cir. 1988) (overruled in part by In re Dillon, 16 USPQ 2d 1897 (Fed. Cir. 1990), cert. denied, 500 U.S. 904 (1991)).

Thus, regardless of what additional non-obviousness rationale is promoted by Appellant, the Examiner is first required to provide a prima facie obviousness case. Thereafter, non-obviousness factors can be considered. One of these many factors may be the presence of unexpected results. However, Appellant is not required to rebut an obviousness charge by only presenting such unexpected results, as the Examiner appears to be requiring. Regardless, first the Examiner is required to make a prima facie obviousness case, which Appellant proffers has not been made.

In addition, it is noted that a "[r]ejection of [a] patent application for obviousness under 35 U.S.C. §103 must be based on evidence comprehended by language of that section, and search for and analysis of prior art [must include] evidence relevant to finding of whether there is teaching, motivation, or suggestion to select and combine references relied on as evidence of obviousness; factual inquiry whether to combine references must be thorough and searching, based on objective evidence of record." In re Lee 61 USPQ2d 1430 (CA FC 2002)(vacating a decision by The Board of Patent Appeals and Interferences ("Board") of the USPTO, which upheld an examiner's rejection where the motivation for a specific combination was not supported by the record; the vacated holding of Board was based on the premise that "[t]he conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference.")

Thus, accordingly, a prima facie obviousness rejection requires motivation from some reference or support in the record that would lead one skilled in the art to combine the relevant teachings, again noting that the mere fact that the prior art may be modified in a particular manner does **not** make the modification obvious unless the prior art suggested the desirability of that modification.

As noted above, the present application defines the claimed RMA as "including general information relating to recording, i.e., information about the recording mode of a disc, recording state, optimal power control and border zone." See the present specification on page 14, paragraph [0063]. In addition, "FIG. 13 [of the present application] shows the content of an RMD (Recording Management Data) field of the RMA according to the DVD-R and DVD-RW specifications. The RMA comprises an RMA Lead-in area including a system reserved field (contents:00h) and a unique ID field, and **RMD** fields." See the present specification on page 14, paragraph [0066].

Thus, the present specification sets forth specific definitions of the claimed RMD field as at least pertaining to DVD-R and/or DVD-RW specifications, and specifically defines the structure of the claimed RMD as being a particular field in the RMA.

The outstanding Office Action sets forth that Kuroda et al. reads information from an RMD area, and therefore inherently discloses the claimed RMA and RMD areas. Particularly, the Office Action recites: "[a]pplicants' use of the next term RMA and RMD DOES NOT DEFINE OVER Kuroda et al....Here the Examiner concludes that both the claimed RMA and RMD limitations [are] not only inherently present but merely a colorful use of language that does not [patentably] distinguish over the document. As is well known, 'a rose by any other name would still smell as...'"

The pending claims have particularly claimed features, which are to be interpreted in accordance with their usual meaning in the art and their particular definition in the specification. Thus, regardless of the Examiner's conclusion that the claimed features have no particular meaning, or that the claimed RMA and claimed RMD were merely "colorful" uses of language, the claims must be interpreted as defined.

As noted above, the claimed RMD is a particular field in the RMA, and the claims must be interpreted the same.

Further, the Office Action points out that Kuroda et al. uses the term "RMD," which must of course be the same "RMD" recited in the present application and claims.

It would appear that the Examiner has misunderstood the disclosure of Kuroda et al. As illustrated in FIG. 9, the recited "RMD" area of Kuroda et al. would actually appear to be referring to the specifically defined Recording Management Area (RMA) of the present application. Kuroda et al. does not disclose the claimed Recording Management Data (RMD) "field" of the RMA, as defined in the present specification and recited in independent claim 1.

Further, the Office Action indicates that the claimed RMA and RMD must be inherently disclosed in Kuroda et al. However, "when an examiner relies on inherency, it is incumbent on the examiner to point to the 'page and line' of the prior art which justifies an inherency theory." Ex parte Schriker, 56 USPQ2d 1723 (BdPatApp&Int 2000). The Office Action has failed to point to passages of Kuroda et al. which support the conclusion of this inherency. Rather, such an inherency can not be supported because Kuroda et al. would not appear to disclose the claimed RMD field.

To modify Kuroda et al. to store write protection information, as well as to store write protection information in the particularly claimed RMD field, the Examiner has utilized Ro et al., "which provides for the ability of having write protection in this environment. It appears from the description that the write protection information is in the lead in area of the disc." See the outstanding Office Action on page 5, second full paragraph.

The Office Action uses the disclosure of Ro et al. of having "write protection in this environment," combines that feature with Kuroda et al., and points out that the particular placement of write protection information in the RMD is merely a "relocation of this signal" and "MERELY A DESIGN CHOICE and obvious to one of ordinary skill in the art....Placement of such information in a MANAGEMENT AREA is logical. Placement of this Management Area in applicants termed - RMA is equally logical."

Thus, it would appear that the Examiner is relying on his own beliefs of what is obvious, based solely on Ro et al. disclosing "write protection in this environment" and the Examiner's belief that one skilled in the art could have designed the same if he chose to, i.e., the rejection fails to provide any objective motivation for the proffered combination.

It is improper to base a rejection on the claimed feature being merely a design choice. See *In re Garrett*, 1986 Pat. App. LEXIS 8 (Bd. Pat. App. 1986), where the U.S. Patent and Trademark Office Board of Patent Appeals and Interferences ("Board") specifically stated: "the examiner has not presented any line of reasoning as to why the artisan would have been motivated to so modify the...structure, and we know of none. The examiner's assertion...that the proposed modification would have been "an obvious matter of engineering design choice well within the level of skill of one of ordinary skill in the art" is a conclusion, rather than a reason." Similar discussions can be seen in *In re Chu*, 36 USPQ2d 1089 (Fed. Cir. 1985).

Thus, regardless of what the Office Action purports to be obvious, or merely a design choice, the same must be supported by evidenced motivation in the record providing a suggestion or motivation for such a modification of Kuroda et al.

Thus, for at least the above, it is respectfully submitted that the outstanding rejection fails to meet the required prima facie obviousness standard. Accordingly, it is respectfully requested that this rejection be withdrawn.

It is noted that in addition to rejecting dependent claims 2 and 8 under an obviousness rationale based solely on Kuroda et al. and Ro et al., the Examiner has also rejected dependent claims 2 and 8 under an obviousness rationale requiring the addition of Prior Art and/or Mcferrin et al. (bellow). Thus, although the Examiner here has argued that the proffered combination of Kuroda et al. and Ro et al. includes the features of independent claims 2 and 8, in a confusing contradiction, the Examiner also requires the use of additional references to disclose these features.

Regardless, based on the above, it is respectfully submitted that this rejection of claims 1, 2 and 8, based on the proffered combination of Kuroda et al. and Ro et al., is improper.

D. Claims 2, 3, 5, 6 and 8 are patentable over the above discussed combinations relied upon for rejecting independent claim 1, in further view of the prior art set forth in the present application (Prior Art) and Mcferrin et al.

As noted above, the rejections based upon Ko et al. are improper, as Ko et al. is not a proper §102 reference.

Regarding claims 2, 3, 5, 6 and 8, it is respectfully submitted that these claims are patentable over the cited references, at least for their dependence from allowable independent claim 1.

In addition, regarding dependent claim 3, the outstanding Office Action recites: "since McFerrin et al. permits his recording of the protection signal to be at the start of a sector, and there can be a plethora of sectors, the duplication is inherently present." Thus, again the Examiner has failed to provide any objective motivation for the proffered modification, and relies solely on his own opinion of what would have been obvious.

Similarly, the Office Action has set forth that particular claimed features of claims 2, 3 and 5 are disclosed in Prior Art. However, the Office Action sets forth no obviousness rationale for modifying the previous combination of Kuroda et al. and Ro et al. to include the same. Even though the features may be known, there still must be a recited motivation for modifying the combination of Kuroda et al. and Ro et al. to include the same.

Regarding the claimed feature of claim 6, the Office Action recites: "since McFerrin document discloses that the information format of his record comprises a plurality of bands, the fields are grouped with the same write protection information as recited." Thus, the Office Action merely points out that McFerrin et al. may disclose the claimed feature, but fails to provide any motivation or rationale for modifying the combination of Kuroda et al. and Ro et al.

Lastly, potentially to support the aforementioned modifications of Kuroda et al. and Ro et al., the Office Action recites that it "would have been obvious to one of ordinary skill in the art to modify the 'base reference' of McFerrin with the teaching(s) from the acknowledged Prior Art, motivation [being] to take [advantage] of existing disk formats available to those of ordinary skill in the art and therefore save valuable resources in reading invention limitations that already exist."

It is first noted that this rejection is confusing since the purported base reference would be the combination of Kuroda et al. and Ro et al., not McFerrin et al. Regardless, the rationale for modifying Kuroda et al. and Ro et al. to include the features of McFerrin et al. and Prior Art is essentially the same as discussed above regarding the "design choice" argument of the Office Action regarding claim 1. Again, it is pointed out that regardless of the Examiner's opinion of whether something would have been obvious, the Office Action must still set forth particular evidenced motivation or suggestions and supporting rationale upholding the obviousness conclusion.

Therefore, for at least the above, it is respectfully submitted that these rejections of claims 2, 3, 5, 6 and 8 are improper.

E. Claims 2, 3, 5, 6 and 8 are patentable over the above discussed combinations relied upon for rejecting independent claim 1, in further view of the prior art set forth in the present application (Prior Art) and Curtis et al.

It would appear that the Examiner has relied upon Curtis et al. disclosing the same features as McFerrin et al. Thus, the deficiencies of the above rejections regarding McFerrin et al. would be equally applicable regarding Curtis et al., thereby supporting the conclusion that these rejections of claims 2, 3, 5, 6 and 8 are also improper.

F. Claim 7 is patentable over the above discussed combinations relied upon for rejecting independent claim 1, in further view of McFerrin et al.

The Office Action recites that "applicants' attention is drawn to the formats identified in figures 6-11 of the McFerrin document. As noted therein different bytes in different segments are reserved for special features. Although no specific byte is designated as the write protect indicator, use of a designated byte for such a function is considered merely a selection of alternative equivalents," i.e., a design choice. The Office Action further recites: "That is, the use of a byte and its position for control functions is well known as discussed by McFerrin. The selection of a particular byte for a designated function as opposed to a different function is to a particular user's choice. No unexpected results are seen to occur from the selection of one byte position over another."

Similar to above, this "design choice" rationale is improper, as particularized motivation or suggestions, and supporting rationale, are required for a prima facie obviousness rejection. Further, it is noted that the Examiner has again pointed out that "no unexpected results are seen." However, it is not understood how the Examiner's opinion of whether unexpected results are seen is relevant when no motivation or suggestion for such a modification has been proffered. Unexpected results may support an argument refuting obviousness, but first the Examiner must actually present an prima facie obviousness case, which the Examiner has failed to do in the present rejection.

It is respectfully submitted that this rejection of claim 7 is improper.

G. Claim 7 is patentable over the above discussed combinations relied upon for rejecting independent claim 1, in further view of Heo

Similar to above, in this rejection the Office Action recites: "The particular bit location, bp 3, bp0, etc. as found in this claim is considered to be obvious over the DVD formats of either Heo or Maeda et al. - both of which indicate such nomenclature is known when identifying sections of the dvd formats, see figures 8b, 9d, 16, 17b, 18b and c in Heo which uses such bit designation for a plurality of uses - note in particular the use for designating attributes of the information....Placing of control information at the particular bit positions is considered merely design expediency as long as such does not conflict with previously used bit positions."

Again, the Examiner has replaced the motivational requirements with his own conclusions of what would have been obvious, based on a design choice, which is incorrect. In addition, regardless what "nomenclature" used, the Examiner is also required to present a prima facie obviousness case of why one skilled in the art would have made the proffered modifications or found such modifications obvious.

Therefore, it is respectfully submitted that this rejection of claim 7 is improper.

H. Claim 7 is patentable over the above discussed combinations relied upon for rejecting independent claim 1, in further view of Maeda et al.

The Examiner has relied upon Maeda et al. in the same manner as Heo is relied upon, directly above, again without presenting a proper prima facie obviousness case. Therefore, it is respectfully submitted that this rejection of claim 7 is also improper.

IX. CONCLUSION

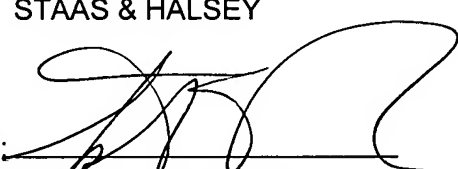
In summary, it is submitted that claims 1-8 patentably distinguish over the prior art. Reversal of the Examiner's rejection is respectfully requested.

The Examiner is authorized to charge any Appeal Brief Fee or Petition for Extension of Time fee for underpayment or credit any overpayment to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY

Date: May 5, 2003

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APPENDIX

1. A recordable and/or rewritable recording medium to record data comprising:
a Lead-in area;
a Lead-out area; and
a user data area;
wherein the recording medium stores write protection information in an RMD (Recording Management Data) field of an RMA (Recording management Area) area to protect the data recorded on the recording medium from unwanted overwriting or erasing.
2. The recording medium of claim 1, wherein the recording medium satisfies a DVD-RW (digital Versatile Disc Rewritable) specification
3. The recording medium of claim 1, wherein the write protection information is stored in physically separate locations at a plurality of times.
4. The recording medium of claim 3, wherein when the writing protection information read from one of the plurality of physically separate locations matches the writing protection information read from another one of the physically separate locations, the recording medium is indicated as being set to a write protection state.
5. The recording medium of claim 1, wherein the recording medium comprises a recording information area, distinct from the Lead-in area, the Lead-out area and the user data area, and including RMD fields, wherein the RMD fields store information indicative of pre-use certification and defect management in use.
6. The recording medium of claim 1, wherein the RMD fields are grouped and the same write protection information is stored in the RMD fields belonging to the same group.

7. The recording medium of claim 1, wherein the write protection information is stored in a byte position BP3 of RMD field 0, and information indicative of types of recording medium, indicating whether the recording medium satisfies the DVD-RW specification, is stored in byte positions BP0 and BP1 of the RMD field 0.

8. The recording medium of claim 1, wherein the recording medium is a bare disc not contained in a case of a cartridge.